

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JAMALL BAKER,

Plaintiff,

v.

JERALD GRANT, et al.,

Defendants.

Case No. C17-1678 RSL-MAT

ORDER ADOPTING REPORT AND
RECOMMENDATION

Having reviewed the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, any objections or responses to that, and the remaining record, the Court finds and ORDERS:

- (1) The Court ADOPTS the Report and Recommendation;
- (2) Defendants' motion to dismiss (Dkt. 18) is GRANTED, and plaintiff's amended complaint be dismissed without prejudice;
- (3) Plaintiff's motion for leave to amend (Dkt. 24) is GRANTED in part and DENIED in part. Plaintiff may proceed with his First Amendment retaliation claims against Officers Grant and Neely and his Eighth Amendment claims against Officer Grant and Sergeant Clayton. All other claims and defendants are DISMISSED;


ORDER ADOPTING REPORT AND
RECOMMENDATION - 1

1 (4) Plaintiff's motion for a temporary restraining order and preliminary injunction
2 (Dkt. 31) is DENIED;

3 (5) This matter is RE-REFERRED to Judge Theiler for further proceedings; and

4 (6) The Clerk is directed to send copies of this Order to the parties and to Judge Theiler.

5 Dated this 17th day of July, 2018.

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7 ROBERT S. LASNIK
8 United States District Judge
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